

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

RICKY SAMUEL ANDERSON,	)	
	)	
Plaintiff,	)	
	)	2:05cv836
	)	Electronic Filing
v.	)	
	)	Judge Cercone
	)	Magistrate Judge Caiazza
AMY L. KEIM,	)	
	)	
Defendant.	)	

**MEMORANDUM ORDER**

The Plaintiff's complaint was received by the Clerk of Court on June 16, 2005, and was referred to United States Magistrate Judge Francis X. Caiazza for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The magistrate judge's Report and Recommendation, filed on June 27, 2006, recommended that the Defendant's Motion for Judgment on the Pleadings (Document No. 10) be granted. The parties were allowed ten (10) days from the date of service to file objections. Service was made on the Plaintiff by First Class United States Mail and on the Defendant. Objections were filed by the Plaintiff on July 12, 2006. After de novo review of the pleadings and documents in the case, together with the Report and Recommendation and the objections thereto, the following order is entered:

AND NOW, this 31<sup>st</sup> day of July, 2006,

IT IS HEREBY ORDERED that Defendant's Motion for Judgment on the Pleadings (Document No. 10) is GRANTED.

The Report and Recommendation of Magistrate Judge Caiazza, dated June 27, 2006 (Document No. 16), is adopted as the opinion of the court.



DAVID STEWART CERCONI  
United States District Judge

cc: Honorable Francis X. Caiazza  
United States Magistrate Judge

Ricky Samuel Anderson  
Booking No. 3399-03  
Westmoreland County Jail  
3000 South Grand Boulevard  
Greensburg, PA 15601

John K. Greiner, Esquire  
Belden Belden Persin & Johnston  
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